

**REAL ESTATE BOARD  
MINUTES  
MADISON, WISCONSIN  
DECEMBER 7, 2000**

**PRESENT:** James R. Imhoff, Richard Hinsman, Bettye Lawrence, and Jerome Nelson; Harold Lee and Richard Kollmansberger (by telephone)

**EXCUSED:** Nancy Gerrard

**STAFF PRESENT:** Cletus Hansen and Jan Neitzel, Bill Dusso, Bill Black, and Division of Enforcement staff were present for portions of the meeting.

**GUESTS:** Rick Staff, WRA

**CALL TO ORDER**

The meeting was called to order at 10:08 a.m. by Jim Imhoff, Chair, upon confirmation that the public notice was timely given. A quorum of 6 members was present.

**AGENDA**

**MOTION:** Bettye Lawrence moved, seconded by Richard Hinsman, to adopt the agenda. Motion carried unanimously.

**MINUTES (10/26/00)**

**MOTION:** Richard Kollmansberger moved, seconded by Jerry Nelson, to approve the minutes as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Secretary Cummings' Report**

Secretary Cummings was not available.

**Clete Hansen**

- **Board Roster**

The Board received a copy of the December 2000 roster. Noted.

- **Meeting Dates for 2001**

The Board received a copy of the meeting dates for 2001. Noted.

- **Screening Statistics**

The Board received a copy of the September 28, 2000, and October 27, 2000, screening statistics. Noted.

- **To-Pass Folder**

The To-Pass Folder was circulated and duly noted.

### **ADMINISTRATIVE RULES UPDATE**

Mr. Hansen reported that the revised rules relating issues in Chapter RL 17 and 24 will become effective February 1, 2001.

### **REPORT OF THE CONTRACTUAL FORMS COUNCIL**

Clete Hansen stated that he has edited the drafts of the Offer to Purchase-Business With Real Estate, the Offer to Purchase-Business Without Real Estate, and the Business Listing Contract-Exclusive Right to Sell. The forms are being printed and will be available to the public in the near future.

### **REPORT OF THE COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATION**

Clete Hansen stated that the "Continuing Education Requirements for Wisconsin Real Estate Licensees" brochure and the "Course Outlines for Wisconsin Real Estate Continuing Education 2001-2002" booklet have been sent to all of the schools who teach continuing education.

Mr. Hansen reported that Rick Staff, WRA, Casey Brown, Exams Office, and himself, have designated the content areas for questions in the test-out examination and will forward them to PSI.

Mr. Hansen stated that Laurie Francis' term ended in July of 2000 and that Larry Sager, MATC-Madison, is the new member of the Council.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENT**

The Board requested that no public comment be given relating to the stipulations presented in Open Session.

### **MISCELLANEOUS CORRESPONDENCE**

Harold Lee was not available from this point until 10:45 a.m.

**Jeffrey Younger**

The Board agreed that a standard for Internet real estate sales does need to be set at this time.

**George Allen**

The Board received a copy of the October 10, 2000, letter from George Allen relating to real estate licenses for manufactured housing salespersons. Noted.

**John Kundert**

The Board received a copy of the November 20, 2000, letter from John Kundert, DFI, in response to Clete Hansen's letter of October 6, 2000, relating to financial fraud. Noted.

**Paul Vozar**

The Board received a copy of the October 18, 2000, letter from Paul Vozar relating to financing fraud practices and property flipping. Noted.

**Len Hickey**

The Board received a copy of the November 7, 2000, letter from Len Hickey relating to 1999 AB 566 and SB 286. Noted.

**On-Line Renewal**

Clete Hansen stated that the Department has received many favorable responses from the public relating to on-line renewal.

**PRESENTATION OF PROPOSED STIPULATIONS BY THE DIVISION OF  
ENFORCEMENT**

DOE staff presented the stipulations relating to Richard A. Roshak (Green Bay, WI), Elizabeth A. Hough (Oxford, WI), and Don Lee Realty Inc., and Daniel F. Lee (Portage, WI.). The Board will discuss these stipulations in closed session and will vote on them after Closed Session.

**RECESS TO CLOSED SESSION**

Hal Lee again joined the meeting.

**MOTION:** Dick Hinsman moved, seconded by Bettye Lawrence, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status report, case closings, reconsideration of a stipulation, stipulations, monitoring of discipline,

assessment of costs, and disciplinary proceedings. Motion carried unanimously by a roll call vote: Richard Hinsman-yes; Richard Kollmansberger-yes; Bettye J. Lawrence-yes; Harold Lee-yes; Jerome M. Nelson-yes; James R. Imhoff-yes. Motion carried unanimously.

Open Session recessed at 9:47 a.m.

The Board received a copy of the Division of Enforcement Case Status Report.

The Board deliberated on case closings, stipulations, disciplinary actions, and request for reconsideration and a hearing, request for revision of final decision and order, and an order fixing costs.

Final voting on these issues was conducted in Open Session.

### **RECONVENE IN OPEN SESSION**

**MOTION:** Richard Hinsman moved, seconded by Richard Kollmansberger, to adjourn the Closed Session and to reconvene in Open Session at 11:32 a.m. Motion carried unanimously.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

#### **CASE CLOSINGS**

**MOTION:** Richard Hinsman moved, seconded by Jerry Nelson, to close the following cases presented by the Division of Enforcement for closing. Motion carried unanimously.

99 REB 330	P5
00 REB 053	Insufficient evidence
00 REB 090	P3
99 REB 290	P5
00 REB 189	P1

#### **STIPULATIONS**

#### **Richard A. Roshak (Green Bay, WI)**

**MOTION:** Bettye Lawrence moved, seconded by Richard Kollmansberger, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving Richard A. Roshak. Motion carried unanimously.

**Elizabeth A. Hough (Oxford, WI)**

**MOTION:** Richard Hinsman moved, seconded by Bettye Lawrence, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving Elizabeth A. Hough. Motion carried unanimously.

**Don Lee Realty Inc., and Daniel F. Lee**

**MOTION:** Richard Hinsman moved, seconded by Richard Kollmansberger, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving Don Lee Realty Inc. and Daniel F. Lee. Motion carried unanimously.

**PROPOSED DISCIPLINARY ACTIONS**

**Ralph L. Mitchell (Brown Deer, WI)**

Nancy Gerrard, the case advisor was not present at the meeting.

**MOTION:** Richard Kollmansberger moved, seconded by Jerry Nelson, to revoke the license of Ralph L. Mitchell. The case advisor did not vote. Motion carried unanimously.

**Michael R. Roth (New Berlin, WI), Mark M. Koenig (Twin Lakes, WI), Roth and Taplan, Inc., (West Allis, WI)**

Richard Hinsman, the case advisor, was not present during deliberation.

**MOTION:** Richard Kollmansberger moved, seconded by Jerry Nelson, to accept the recommendations of the administrative law judge. The case advisor did not vote. Motion carried unanimously.

The Board would like to discuss the roles of brokers and co-owners at a future meeting.

**REQUEST FOR RECONSIDERATION AND HEARING**

**Linda L. Cotter (Montello, WI) and Susan K. Kravik (Westfield, WI)**

The Board discussed the request of Linda Cotter and Susan Kravik.

**MOTION:** Richard Hinsman moved, seconded by Hal Lee, to deny the request for reconsideration and hearing. Motion carried unanimously.

The Board requested that Mr. Black send a letter to Ms. Cotter and Ms. Kravik.

## **REQUEST FOR REVISION OF FINAL DECISION AND ORDER**

### **Annette L. Reynolds (Milwaukee, WI)**

**MOTION:** Bettye Lawrence moved, seconded by Jerry Nelson, to accept the revised Final Decision and Order for Annette L. Reynolds. Motion carried unanimously.

## **REQUEST FOR ORDER FIXING COSTS**

### **John P. Lappen (Mountain, WI)**

**MOTION:** Richard Hinsman moved, seconded by Bettye Lawrence, to approve the costs for John P. Lappen. Motion carried unanimously.

## **MONITORING**

### **David Neuville (Sturgeon Bay, WI)**

**MOTION:** Richard Hinsman moved, seconded by Bettye Lawrence, to reinstate the license of David Neuville. Motion carried unanimously.

## **ADJOURNMENT**

**MOTION:** Richard Hinsman moved, seconded by Bettye Lawrence, to adjourn the meeting at 11:37 a.m.